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PATENT
Attorney Docket 056100-5035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Jimo Borjigin**) Confirmation No. **4917**
)
Application No. **10/812,939**) Group Art Unit: **3735**
)
Filed: **March 31, 2004**) Examiner: **Samuel Gilbert**
)
For: **Monitoring Circadian Activity**) Date: July 20, 2007

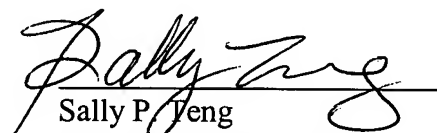
U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop Amendment**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL FORM

1. Transmitted herewith is a Response to Restriction Requirement in response to the non-final Office Action dated June 20, 2007.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicant does not believe an extension of time is required. However, if Applicant has inadvertently overlooked the need for an extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
3. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **July 20, 2007**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
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202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP


Sally P. Veng
Registration No. 45,397



PATENT
Attorney Docket No. 056100-5035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jimo BORJIGIN)	Confirmation No. 4917
)	
Application No.: 10/812,939)	Group Art Unit: 3735
)	
Filed: March 31, 2004)	Examiner: Samuel Gilbert
)	
For: MONITORING CIRCADIAN ACTIVITY)	

RESPONSE TO RESTRICTION REQUIREMENT

This paper responds to the Restriction Requirement, dated June 20, 2007, time for response to which expires July 20, 2007.

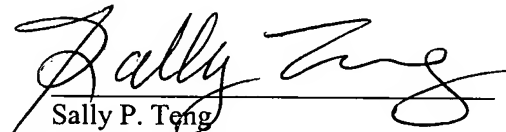
In response to the Restriction Requirement, Applicant elects with traverse, the invention of Group I, claims 1-11 and 15-19, drawn to a method of monitoring a chemical output.

Applicant respectfully traverses the Restriction Requirement because all three inventions are related. All three inventions involve a preselected biological condition controlled by a circadian clock. Accordingly, the search for one invention would overlap with the search for the other inventions. Therefore, it would not require undue burden for the Patent Office to search and examine all the claims in this application.

If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,
Morgan, Lewis & Bockius LLP

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